It is high time that police should appeal to the public to file FIRs against such companies and that these companies and their directors should be prosecuted under the existing laws.

If need be, at a later date, the Parliament can amend the Indian Penal Code or any other legislation dealing with communications to make such offences punishable more severely.

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SHORT DURATION DISCUSSION

Need to strengthen the measures to prevent ragging in the institutions of higher learning

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI KAPIL SIBAL): Thank you, Mr. Deputy Chairman. At the outset, I would like to express my gratitude to all the Members of the House who have participated in this discussion on a topic which concerns all of us the menace of which troubles us as a nation. I know that several hon. Members have not just given their thoughtful views on the subject but have also suggested some ways of dealing with the menace. I am grateful to all the hon. Members who not only participated but also gave their thoughtful suggestions.

Ragging is not something new; Sir, it is something that has been going on for a long time. In fact, ragging goes back to the 7th Century and 8th Century AD. It started in sports because people used this as a measure of building confidence within the system for collective action. From sports it moved to the Military and when Army people started joining educational institutions, it came into educational institutions. The first death from ragging occurred way back in 1873 when a young student from Cornell University was ragged and he jumped into a gorge and died. It has now become a fashion it has assumed very serious proportions. It is abusive, it is violent, it is degrading, it is demeaning, it has very negative psychological impact and it can destroy not just the career but the life of a young person. Way back in 1999, there was a report pursuant to a Public Interest Litigation filed by the Vishwa Jagriti Mission. Through that Public Interest Litigation a Committee was set up, chaired by Prof. Unni of the Jawahar Lal University. That 1999 Report suggested several measures that ought to be taken to deal with this menace. Then, of course, came the judgment of the Supreme Court which not only defined ragging but suggested that guidelines should be issued in terms of the report submitted by the Committee, chaired by Prof. K.P.S. Unni. Now, also, several States like West Bengal, Maharastra, Kerala, Tamil Nadu, Goa, Himachal Pradesh, Chhattisgarh and Karnataka have legislations on the subject. So, we have had several States actually enacting on the subject to deal with the menace. But, Sir, I must compliment the Supreme Court for having taken a very serious view of the matter and setting up the Raghavan Committee on 5th December, 2006 which gave certain suggestions. The matter has been going on ever since. However two things have changed since

the matter was initially taken up in 1999. One, and that is the view of the Government of India that there shall be zero tolerance towards this anti-social activity. The second thing that has changed is that previously what happened within educational institutions was regarded as something that happens in the precincts of institutions, which should not be taken to be criminal activity. In other words, we had a protective attitude towards institutions. Let us persuade, let us make sure that these things do not happen again as if the precincts of a university were outside the law. So, the second thing that has changed is the following: that a university campus, a residential campus, a residential campus outside the university, the playing field, the canteen, residential complexes where young boys and girls live, are now regarded not as precincts which should be protected but as ordinary public places where if an offence under the penal code is committed, it should be prosecuted. These are two things that have changed over the years and the Government of India is totally committed to deal with this menace and to ensure that the lives of young people are not destroyed by this scourge. Sir, several hon. Members had raised several issues I do not want to go into statistics because Bagrodia Saheb mentioned that the incidents of ragging have gone up. Figures from 2003 to 2007 and the figures in 2008 suggest, that, in fact, the numbers have jumped rather drastically. The Raghavan Committee Report itself says that you can't rely on statistics. Maybe the numbers were there even earlier but were not reported, as there was no official mechanism to actually collect those statistics on the basis of which we can act. But several hon. Members talked about having a Central legislation. Some didn't agree. Several Members talked about coercive measures that should be taken against the student community who are perpetrators of ragging, those suggestions were made. Sir, I wish to inform the House that on the 17th of June, 2009 the University Grants Commission issued regulations which have the force of law and in terms of these regulations there are stipulations that have to be followed, not only by students, but, also by parents when they seek admission into an institution. Affidavits have to be filed that they are aware that ragging is a prohibited activity and that, in the event, ragging does take place action can be taken against them. Affidavits have to be filed by students as well as parents. That is now incumbent on all institutions which are controlled by the UGC that those application forms which seek admission will contain forms of affidavits in which this all has to be stated. Not only that, Sir, we have also stipulated in the regulations that, in the event, there is a violation by any perpetrator of ragging, then he will have to be prosecuted like any other ordinary citizen. Apart from that, the institution itself can take very stringent action. Some hon. Members have mentioned that institutions should have the power to rusticate. Sir, every thing is now provided in the regulations itself. Not only that, action can be taken against an institution which does not ensure protection to students who become the objects of ragging. Therefore, we have now tried to take care of everything through the law. As you know regulations under

the UGC have the force of law. But, of course, there are several institutions outside the UGC which will have to be brought within the ambit of law as well. So, we have written to the Medical Council of India, Dental Council of India, Indian Nursing Council, All India Council of Technical Education that they must adopt the regulations that have been formulated by the UGC. I am sure, these regulations will be adopted and all these entities and bodies will formulate similar regulations so that in institutions which are under their control the same kind of regulatory and legal framework will be in existence.

Sir, I just want to mention, for the sake of clarity, the kind of administrative action that is now contemplated and that can be taken by institutions against students or a student who perpetrates ragging. It is: suspension from attending classes and academic privileges, withholding or withdrawing of scholarships, debarring from appearing in any test or examination or evaluation process, withholding results, debarring from representing the institution in any regional or national or international meet, suspension, expulsion from hostel, cancellation of admission, rustication from the institute for a period ranging from one to four semesters, expulsion from institution and consequent debarring from admission. So, these are very strong and stringent measures consistent with the Government's policy of zero tolerance. Again, for the sake of clarity, if an institution, which is affiliated to a university or is recognized by a university, fails to comply with any of the provisions of the regulations, which I have talked about, the concerned university is entitled to take certain actions. I would just stipulate some of those actions. These are: Withdraw affiliation or recognition or other privileges that may have been conferred upon that institution; prohibiting such an institution from presenting any student or students for undergoing any programme of study for the award of any degree or diploma, withhold grants allocated to the institution by the university; withhold any grants channelised through the university to the institution. These are, again, some of the very strong measures that can be taken against an institution that is affiliated to the university and which is subject to the regulatory framework that I have placed before the hon. Members of this House. Not only that, Sir, the University Grants Commission can do other acts as well, for example, withhold the grants that have been allocated to the institution; declare the institution ineligible for consideration of any assistance under the general or a special assistance programme of the Commission. The point that I am trying to make is that this is consistent with our zero-tolerance policy with regard to ragging. We have done also another very special thing, which is again consistent with the directions issued by the hon. Supreme Court from time to time; after 5th December, 2006, there was yet another order of the Supreme Court on 16th May, 2007, and, then, the latest order of 8th May, 2009. So, several directions have been issued and the regulations encapsulate the essence of each of the directions issued by the Supreme Court. So,

now, the regulations are, in fact, in conformity with the directions and the orders of the Supreme Court issued from time to time. We are extremely grateful to the court for having taken upon itself to deal with ragging in such a circumspect manner and to give direction to the country, at large, as to which way the law should move and, therefore, I would like to place on record my appreciation of the Supreme Court for having taken up this matter.

The special thing, which, of course, the Supreme Court has also alluded to, was the fact that we should have a ragging help line. That help line was inaugurated by me on 20th June, 2009. And, what that does is — and this is what we, ultimately, want — that within 15 minutes of any complaint, the institution should be informed so that immediate action must start with respect to investigation of the complaint by the ordinary prosecuting agencies and investigating agencies. In other words, the local police station will be informed about it. And, within the institution, when a student is going to seek admission, then, in that institution, he will have to fill up a form, along with an affidavit, which I mentioned and which will all be on the website. We are creating a separate portal so that all that information from each college to each student will be on that portal. So, all the students will have access to all information admitted anywhere in India. And, within the institution itself we will have an Anti-ragging Squad, which is, now, a part of the regulations. This is not something that is discretionary. This is something that the college must comply with. Each college, each institution will have an Anti-ragging Squad, each institution will have an Anti-ragging Committee, the head of which will be the Principal of that particular institution. And, the constitution of that Committee is also stated in the regulations. I don't want to take the time of this House by talking about that. But that, again, is consistent with the directions issued by the Raghavan Committee, which have, now, been translated into the regulations that I have mentioned. So, you will have anti-ragging squads and anti-ragging committees. There will be anti-ragging committees at the level of the DC; there will be anti-ragging committees at the level of the State Government and also at the level of the University Grants Commission, so that we could monitor all these. For example, suppose a child or a young man or a young girl is subjected to ragging and they file a First Information Report. That does not absolve the institution, under the regulations, from itself filing a First Information Report. If the institution does not do it expeditiously, then action can be taken against the institution for negligence, for not doing which they are obligated to do under the law, pursuant to the regulations. This means that institutions themselves are expected to respond expeditiously to any act of ragging that takes place within that institution by starting the process of law, so that in the event there is a serious complaint which has merit, the person concerned is not only dealt with administratively, as I have mentioned, but can also be dealt with through the Criminal Procedure Code. This is the comprehensive nature of the kind of regulations that we

have set in place. So, ragging helplines that I have talked about would be a helpline which will be responded to — we have done this through the BSNL — in English, Hindi and also in the regional languages, at any point in time. There is a dedicated number. If a young man or woman reports about ragging, helplines will respond to those within 15 minutes. Of course, we have not been able to succeed in this, because we have set it up only on 20th of June. The time lag is a little more at the moment, but we hope to bring that time lag back to 15 minutes. So, when that happens, the institutions are informed, the committees are informed, the committee within the institution is informed, the executive Government is informed. Through the committees outside the institution and parents are also informed. Then, the progress of the investigation of the complaint will be continually informed to the parents concerned. We will inform the parents concerned so that they could know what the status of that complaint is. And till it reaches closure, this information process will continue. I want to just indicate that ever since this helpline has been installed by us — I think, hon. Members of this house will like to hear this — over 15,226 queries have come through these helplines between 16th June and 27th June. I must just indicate to you that most of them were to test the system. Nowadays, with the kind of scepticism for any Government initiative, people like to test the system. So, most of them wanted to test the system whether the helplines work or not. Obviously, it works. The fact of the matter is that of these total complaints, 77 are real complaints, of which 63 have been forwarded to the institutes and the universities. Only three have been closed and the rest are under investigation. So, the point that I am trying to make is that we, in the Government, have acted with speed, with commitment and with the sense prevailing in the House that we need to take action together in this. I am extremely grateful, once again, to hon. Members of this House because they expressed unanimity that this is something that needs to be dealt with expeditiously. I must say that an hon. Member suggested that the Central Government should have a national law, but I dare say, Sir, all the State Governments have these laws but nothing substantial was done and there is no abatement in the incidents of ragging despite the State laws.

The reason for that was that there were no punitive elements in those laws of the kinds that we have already put in place, and, not only that, these laws will remain there on the statute book unless at the level of the institution, a mechanism is put in place to deal with this scourge. It will only happen when the institution deals with it and the obligations then have to be foisted on those institutions. Otherwise, the law will not be effective and efficacious. The problem with the State laws was that the obligations were not *qua* the institutions and there were no mechanisms *qua* the institution. Now, we have filled that gap and each institution will be dealt with in this manner so that no act of ragging goes unnoticed and no act of ragging goes without being dealt with.

Some hon. Members also talked about the fact that this is also happening in schools. Some schools don't report it perhaps; but this scourge is also there in schools. I have already taken steps that the kind of regulations that are in place now, pursuant to the UGC regulations that I have placed, a reference of which I have made before this House, similar kinds of regulations should be enacted within the school system and we will be proceeding in that direction. And as and when those are fully enacted, we shall place them in the public domain so that the hon. Members are satisfied that this Government is not just concerned but extremely proactive about the issue that has been brought to its notice.

Sir, one or two other things and I have done. I just want to mention that when we talk about ragging and we talk about laws and punitive measures, I think that there is an enormous role to be played by parents themselves, by civil society, by NGOs because this is a menace, a societal menace and the society and all stakeholders in society must participate. That is why even under the regulations, we have asked the institutions to here psychiatrists and psychologists. So, when a child enters college, psychiatrists and psychologists must hold meetings with the help of wardens of institutions. So, when they hold meetings, they must explain to our young men and women the impact of ragging so that they are sensitised to the consequences, to the adverse consequences of an act of this nature this will also enable us to know as to what our children's feelings are. So, we would request the NGOs throughout the country to participate in this movement and we would request parents to sensitise their own children who go to senior classes and who may be the perpetrators of ragging to impress upon them the importance and the adverse impact of such an activity on their brothers and sisters. So, they have an extremely important role to play and, I am sure, Sir, that with the kind of enlightened debate that has taken place in this House and the kind of suggestions that have been made, consistent with our taking very strong measures with zero tolerance *qua* ragging, we will be able to deal with this menace in times to come effectively. In the end, I would also like to state that previously our mindset was gloss over this.

It is something that we need to persuade children not to do. I think, that mindset has changed. And ragging, lazing, fagging, — these are all words that have been used over centuries — have been a menace to society and will be put an end to. The other day, I was reading a book by Roald Dahl called 'Boy'. It is only about ragging. There are many interesting stories about ragging, but most of the stories have a very sad end. We wish that education for children is a joy and going to college is an enterprise that is attractive to young men and women, and the fear of being ragged is put an end to. I thank you once again for giving me this opportunity.

SHRI SANTOSH BAGRODIA (Rajasthan): Sir, I wish to seek just one clarification. ...*(Interruptions)*...

SHRI RAJIV PRATAP RUDY (Bihar): Sir, when will we have any reprieve from the long speeches from Ministers which rag the House at times?!

SHRI SANTOSH BAGRODIA: Mr. Minister, I want to compliment you for.. ...*(Interruptions)*..

SHRI KAPIL SIBAL: The hon. Deputy Chairman gave me half an hour. I completed my speech in 25 minutes!

SHRI RAJIV PRATAP RUDY: I was just asking the hon. Deputy Chairman what the situation would be if the House was ragged by long speeches of Ministers.

SHRI KAPIL SIBAL: What is the situation if the House is ragged by hon. Members of this House?

MR. DEPUTY CHAIRMAN: We shall deal with it when it comes to that. ...*(Interruptions)*...

SHRI SANTOSH BAGRODIA: Sir, I compliment the hon. Minister...

SHRI RAJIV PRATAP RUDY: We should keep this in mind for future.

SHRI SANTOSH BAGRODIA: Now, he is ragging me! He is not allowing me to speak. ...*(Interruptions)*... I wish to compliment the hon. Minister for his talk about zero per cent tolerance. This was what was required long before; and now he has said that five or six times. I am sure the intentions are good and it will happen. I just want to have one clarification. We said we wanted a national law. Now, he says that UGC has some regulations. I would like to know whether, based on these regulations, somebody can go to the court. And, has any action whatsoever been taken against any institution after these laws have been made? Then, Sir, the stringent measures that he has mentioned are very flexible. They should be looked into once more because due to that flexibility, the institutes don't take any action. They take simple action. And that is the worst action. Sir, he has talked about schools and I compliment him for that also. The talk of 15,000 employees itself shows how serious the country is about it.

MR. DEPUTY CHAIRMAN: This is not clarification.

SHRI SANTOSH BAGRODIA: Sir, he said, 'interesting stories'. I hope, no more stories are created in the country.

SHRI TIRUCHI SHIVA (Tamil Nadu): Sir, ...*(Interruptions)*..

MR. DEPUTY CHAIRMAN: You are not speaking from your place. Okay, I permit you to speak.

SHRI S.S. AHLUWALIA (Jharkhand): Sir, yesterday, while initiating the debate, Shri Bagrodia said that he enjoyed ragging. Now, the hon. Minister talks about 'interesting stories' in the ragging book. Ragging is not interesting and ragging cannot be enjoyed. That should be the essence of the discussion.

1.00 p.m.

SHRI SANTOSH BAGRODIA: No. His ragging is not enjoyable! ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Shiva, you wished to seek a clarification.

SHRI TIRUCHI SHIVA: Sir, just one point. At a time when it is realised that corporal punishment is of no more use at the school level itself, these stringent laws and punitive measures, I think, will not put an end to such heinous crimes arising out of perverted minds. I would like to know from the hon. Minister whether the Ministry would contemplate taking initiatives to teach at the primary and secondary school levels itself the moral, cultural and social values of life, for only a vacuum is filled with polluted air, and if those minds are rightly set at the school level itself, they won't be disturbed in future.

SHRI KAPIL SIBAL: Thank you, Mr. Deputy Chairman for giving me this opportunity. ...*(Interruptions)*...

Sir, I would like to respond to Bagrodia*ji*'s queries. First of all, this is delegated legislation and these regulations have the force of law. So, if an institution does not follow the regulations, it can be taken into court. This, of course, would also come before the Parliamentary Committee. Secondly, flexibility in awarding punishment is at the core of democracy and, therefore, the punishment accorded should be in direct proportion to the gravity of the offence. I, therefore, think that flexibility should remain in the regulations. That is my second response. My third response to another hon. Member is that way back there was a Special Rapporteur in the Human Rights, Commission, the Economic and Social Council, which dealt with the issue of ragging and indicated that it is a human rights issue. It is not just an issue which requires punitive action, but it requires education and we have already initiated with our school system through the curriculum framework that this should be part of the teaching on human rights. I compliment the hon. Member for having asked out this question because this is on the lines in which we are thinking and we have already partly acted. We shall take this forward in a big way because it should be part of the curriculum of the school. Last of all, Sir, the stories may be interesting but the ends are very sad. The facts of the stories are interesting, but it does not mean that we support any of those stories. We want to put an end to the sad consequences of such a scourge in this country.

MR. DEPUTY CHAIRMAN: Shri Krishan Lal Balmiki, you can lay your special mention.

SPECIAL MENTIONS — *(Contd)*

Demand to declare work of Safai Karamcharis as technical and provide them the facility of life insurance

श्री कृष्ण लाल बाल्मीकि (राजस्थान) : महोदय, भारतीय संविधान निर्माता डॉ0 अम्बेडकर द्वारा देश में छुआछात समाप्त करने एवं जातीय समानता के द्वारा सभी जातियों को मुख्य धारा में लाने के लिए अनेक